

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE: PEDRO JAVIER NEVAREZ BRUNO

XXX-XX-2002

DEBTOR

CASE NO.: 18-05191-BKT

CHAPTER 13

OPPOSITION TO DEBTOR'S MOTION FOR RECONSIDERATION

TO THE HONORABLE COURT:

COMES NOW, DSO RECIPIENT DR. JORANNIE CRUZ NIEVES (hereinafter, "Dr. Cruz"), by and through the undersigned attorney and very respectfully state and pray as follows:

I. Procedural Background

1. On May 12, 2020 Dr. Cruz filed a motion to dismiss the instant case, with prejudice, and with a one-year bar to refile, due to the fact that the Debtor filed the instant case in bad faith, he committed perjury during the proceedings and he incurred in post-petition arrears with respect to his DSO obligations. (**Docket No. 222**).

2. On June 11, 2020 the Debtor filed its opposition to Dr. Cruz's MTD (**Docket No. 225**).

3. On July 27, 2020 this Honorable Court entered an Opinion and Order granting Dr. Cruz's MTD (**Docket No. 232**).

4. On August 10, 2020 the Debtor filed a Motion for Reconsideration of the Opinion and Order entered by this Honorable Court (**Docket No. 234**).

5. On August 12, 2020 Dr. Cruz filed its opposition to the motion for reconsideration filed by the Debtor (**Docket No. 235**).

6. On August 18, 2020 the Debtor filed a motion requesting leave to file a reply to Dr. Cruz opposition (**Docket No. 236**).

7. In a nutshell, the Debtor alleges that Dr. Cruz's opposition contains "new matters" that warrant its request for leave to file a reply.

8. Dr. Cruz hereby object to said request on the grounds that there is no new matters included in her opposition.

9. The issues raised by Dr. Cruz in her motion are simple. First she alleged that the correct standard of review applicable to Debtor's motion for reconsideration is of a "clear error or conclusions of law", and that this Honorable Court made no such errors, thus Debtor's motion for reconsideration should be denied, and its Opinion and Order remain in full effect.

10. The other issue raised Dr. Cruz in her motion was that the Debtor continues to be in arrears with respect to his Court ordered DSO payment. To probe her point, Dr. Cruz submitted the Resolution entered by the State Court which was also filed with her MTD, and an updated account statement from ASUME to sustain her allegations that each month the Debtor continues to incur in post-petition arrears with respect to the DSO payments.

11. Thus there being no "new matters" to address, Dr. Cruz respectfully request from this Honorable Court to deny Debtors request for leave to file a reply to Dr. Cruz opposition.

WHEREFORE, Dr. Jorannie Cruz Nieves respectfully request from this Honorable Court to DENY Debtor's Motion Requesting leave to File a Reply filed at Docket No. 236.

I HEREBY CERTIFY that the foregoing document was filed with the Clerk of the Court using the CM/ECF System which will send a notification of such filing to debtor's attorney and to the United States Trustee and to all other parties on record.

I HEREBY FURTHER CERTIFY that on this same date a true and exact copy of the foregoing document was sent by regular United States mail to: **Non CM/ECF** participants at their address of record, as per the attached Address List.

In San Juan, Puerto Rico this 18th day of August 2020.

/S/Héctor Eduardo Pedrosa Luna

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